

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DUKE PARTNERS II, LLC,
Plaintiff,
v.
ANTONIO MOSQUEDA,
Defendant.

Case No. 16-CV-05318-LHK

**ORDER ADOPTING REPORT AND
RECOMMENDATION RE
PLAINTIFF'S MOTION FOR REMAND**

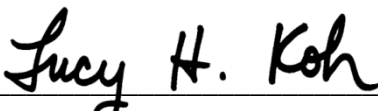
Re: Dkt. No. 10

This case is an unlawful detainer action that was referred to Magistrate Judge Nathaniel M. Cousins. Judge Cousins has made a report and recommendation that the District Judge grant Plaintiff's motion for remand because this action was improperly removed. The Magistrate Judge's Report and Recommendation was filed and served on October 14, 2016. No objections have been filed, and the time to file objections has expired. *See* Fed. R. Civ. P. 72(b)(2).

Having reviewed the Report and Recommendation, as well as the record in this case, the court finds that the Report and Recommendation is well-founded in fact and in law and, therefore, adopts the Report and Recommendation. This case is hereby remanded to the County of Monterey Superior Court, and the Defendant's application to proceed in forma pauperis is denied. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: November 3, 2016



LUCY H. KOH
United States District Judge

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